

S-3-2009

In N Out Subdivision

3715 South 2700 West

C-2 Zone

1 Lot

BACKGROUND

Satterfield Helm Valley Fair, is requesting preliminary and final subdivision approval for a one lot commercial subdivision in the C-2 Zone. The subject property is located at the southwest corner of the Valley Fair Mall property.

ISSUES:

The subdivision is being proposed to create an additional lot within the Valley Fair Mall site. The new lot will be located at the southwest corner of the mall property. A new building will replace the existing Big-O tire store. The tenant for this property, In N Out Burger, requires ownership for their business, which has resulted in the need to divide the property.

The new lot will be approximately .7 acres in size. Access will be gained from 2700 West and from internal access within the mall property. A conditional use application was reviewed by the Planning Commission earlier this month. Issues such as those just mentioned, were discussed and resolved.

One of the concerns regarding development of a new lot, is Granger Hunter's ability to provide water and sewer service. At the present time, water and sewer services are available by easement through the mall property. However, because a new lot will be platted, problems have surfaced regarding GHID's ability to service an independent lot. Due to the lack of water and sewer services in 2700 West, the new lot will need to continue using the existing services. Although this is not an ideal situation from Granger Hunter's point of view, they will allow the existing services to be used. However, a special agreement will need to be approved between the mall owners and GHID. It is staffs understanding that a final draft of this agreement has been prepared and is being reviewed by both parties. After speaking with GHID's engineering office, staff believes that this issue will be resolved prior to City Council review.

STAFF ALTERNATIVES:

1. Approve the In N Out Subdivision subject to a resolution of staff and agency comments.

2. Continue the application to address concerns raised during the Planning Commission hearing.

Applicant:

Johnny Arbuckle

Discussion: Steve Lehman presented the application. Jack Matheson questioned if In-N-Out will be subject to any mall requirements since they will be a separate lot. Johnny Arbuckle stated that there will be CC&R's put into place that will include standards that tie into the rest of the property. Commissioner Matheson asked who would accomplish snow removal. Mr. Arbuckle replied that In-N-Out will remove their own snow. Commissioner Matheson asked if there is any big advantage for In-N-Out to own their own lot. Mr. Arbuckle indicated that this is purely a request from In-N-Out and normally Satterfield Helm would not have accepted this request but they feel the restaurant will be a great opportunity for West Valley City.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Fuller moved for approval subject to a resolution of staff and agency comments.

Commissioner Jones seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous -S-3-2009– Approved